

## U.S. Department of Justice

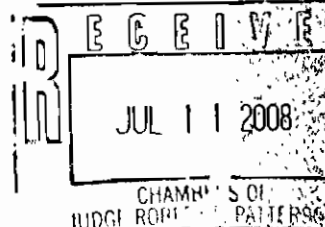
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United States Attorney  
Southern District of New York86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

July 11, 2008

**BY FACSIMILE**The Honorable Robert P. Patterson, Jr.  
United States District Judge  
United States Courthouse  
500 Pearl Street, Suite 2550  
New York, New York 10007Re: Valdez v. United States, et al.,  
08 Civ. 4424 (RPP)

Dear Judge Patterson:

We write respectfully on behalf of defendants, the United States and Special Agent Joseph Mercurio of the Drug Enforcement Administration ("DEA"), to request an extension of sixty days, from July 14, 2008, to September 12, 2008, to respond to the complaint in this case. Plaintiff's complaint asserts tort and constitutional claims against the United States and Special Agent Mercurio.

We request this extension of time because this Office has not yet received authorization to represent Special Agent Mercurio. The request for representation is currently in process. This is the defendants' first request for an extension of time to respond to the complaint. Counsel for the plaintiff consents to this request.

We thank the Court for its consideration of this request.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

WENDY H. WASZMER

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*Application Granted  
So ordered  
to Mr. Patterson  
WJY  
7/11/08*

cc: C. MICHELLE CLEMMENS, ESQ.  
Taub & Marder  
450 Seventh Avenue, 37<sup>th</sup> Floor  
New York, New York 10123 (By facsimile and first-class mail)